

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

<p>FRANK CARBONE, ANDREW CORZO, SAVANNAH ROSE EKLUND, SIA HENRY, ALEXANDER LEO-GUERRA, MICHAEL MAERLANDER, BRANDON PIYEVSKY, KARA SAFFRIN, and BRITTANY TATIANA WEAVER, individually and on behalf of all others similarly situated,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>BROWN UNIVERSITY, CALIFORNIA INSTITUTE OF TECHNOLOGY, UNIVERSITY OF CHICAGO, THE TRUSTEES OF COLUMBIA UNIVERSITY IN THE CITY OF NEW YORK, CORNELL UNIVERSITY, TRUSTEES OF DARTMOUTH COLLEGE, DUKE UNIVERSITY, EMORY UNIVERSITY, GEORGETOWN UNIVERSITY, THE JOHNS HOPKINS UNIVERSITY, MASSACHUSETTS INSTITUTE OF TECHNOLOGY, NORTHWESTERN UNIVERSITY, UNIVERSITY OF NOTRE DAME DU LAC, THE TRUSTEES OF THE UNIVERSITY OF PENNSYLVANIA, WILLIAM MARSH RICE UNIVERSITY, VANDERBILT UNIVERSITY, and YALE UNIVERSITY, Defendants.</p>	<p>Case No.: 1:22-cv-00125</p> <p>Judge Matthew F. Kennelly</p> <p>Magistrate Gabriel A. Fuentes</p>
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NON-MEMBER DEFENDANTS' MOTION TO DISMISS

Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, Defendants Brown University (“Brown”), Emory University (“Emory”), the University of Chicago (“Chicago”), and the Johns Hopkins University (“Johns Hopkins”) respectfully join Defendants’ joint motion to dismiss (filed concurrently) and separately move this Court for an order dismissing Plaintiffs’ Amended Complaint against them based on their individualized defenses that they were not members of the alleged agreement during the relevant time period.

Specifically, Plaintiffs do not allege any facts that plausibly support any claim that Brown, Emory, or Chicago were members of the 568 Group at any time within four years of the filing of the complaint. Instead, Plaintiffs effectively concede that Brown, Emory, and Chicago withdrew from the 568 Group in 2012 or 2014. And Plaintiffs concede that Johns Hopkins joined the 568 Group in 2021—only after each Plaintiff was allegedly injured. Consequently, and as set forth in greater detail in the accompanying Memorandum of Law, the Court should dismiss Plaintiffs’ Amended Complaint with prejudice as to Brown, Emory, Chicago, and Johns Hopkins.

WHEREFORE, Defendants Brown, Emory, Chicago, and Johns Hopkins respectfully request that the Court grant their motion and enter an order dismissing Plaintiffs’ Amended Complaint as to these Defendants with prejudice, and award any further relief that the Court deems appropriate.

Dated: April 15, 2022

Respectfully submitted,

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Counsel for Defendant Johns Hopkins University

CERTIFICATE OF SERVICE

I certify that on April 15, 2022, I caused to be electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification to all counsel of record.

Dated: April 15, 2022

/s/ James L. Cooper

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Counsel for Defendant the University of Chicago